

Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), Inhance Technologies LLC (Inhance) respectfully moves this Court to dismiss the Intervenor-Plaintiffs' Complaint, ECF No. 36, which has been brought under the citizen-enforcement provision of Section 20(b)(1)(B) of the Toxic Substances Control Act (TSCA).

Pursuant to Paragraph 5 of the Court's Policies and Procedures, counsel for Inhance explained the basis for its motion to dismiss to Intervenor-Plaintiffs' counsel on May 23, 2023. Intervenor-Plaintiffs oppose the relief requested in this motion. Counsel for Inhance maintains that discovery should not proceed pending resolution of the motions to dismiss. The motions have the potential to fully resolve or greatly simplify the case. The motions are fairly straightforward, and thus it would be in the interests of judicial economy for discovery to be stayed pending resolution of the motions. Counsel for Intervenor-Plaintiffs have advised that they take no position on whether discovery should proceed while the motion is pending.

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Respectfully submitted,

/s/ Virginia Gibson

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Dated: May 24, 2023

Counsel for Inhance Technologies LLC

CERTIFICATE OF SERVICE

Pursuant to Local Civil Rule 7.1(d), I certify that on May 24, 2023, I electronically filed the foregoing Motion to Dismiss and memorandum in support using the CM/ECF system. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties of record.

/s/ Virginia Gibson